



November 2, 2005

Mr. Arthur Neal,
Director, Program Administration
National Organic Program
USDA-AMS-TMP-NOP
1400 Independence Avenue SW
Room 4008-So., Ag Stop 0268
Washington, DC 20250
Via E-mail: National.List@usda.gov
Fax: (202) 205-7808

RE: National Organic Program: Proposed Amendments to the National
List of Allowed and Prohibited Substances (Crops and Processing)
Docket Number TM-04-01

Dear Mr. Neal:

The Juice Products Association (JPA) is a trade association whose international membership consists of major packers and distributors of a wide variety of fruit and vegetable juices, juice beverages, drinks, jams, jellies, fruit spread and other fruit products. Our members represent a significant majority of the juice and juice beverage processors in the United States. JPA submits the following comments on the proposed rule published in the September 16, 2005 *Federal Register* (70 FR 54660) related to the National Organic Program. In the notice, the United States Department of Agriculture (USDA) is proposing to amend the Agency's National List of Allowed and Prohibited Substances (National List) regulations to reflect recommendations submitted to the Secretary of Agriculture by the National Organic Standards Board from November 15, 2000 through March 3, 2005. JPA previously submitted comments to the USDA regarding the advance notice of proposed rulemaking published in the June 17, 2005 *Federal Register* (70 FR 35177) related to the National Organic Program, Sunset Review.

JPA supports the addition of L-Malic acid to Section 205.605(a), Nonagricultural (Nonorganic) Substances Allowed as Ingredients in or on Processed Products Labeled as "Organic" or "Made with Organic (Specified Ingredients or Food Group(s))." L-Malic acid is affirmed as GRAS by

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the Food and Drug Administration (FDA) as outlined in 21 CFR 184.1069. This substance is used as a flavor enhancer, flavoring agent and adjuvant, and pH control agent in a variety of foods. Malic acid has been approved for use in jams and jellies at a maximum level of 2.6 percent, as served. In addition, it is allowed in processed fruits and fruit juices at a maximum level of 3.5 percent, as served.

JPA also supports the addition of activated charcoal to §205.605(b) of the National List. Activated charcoal is commonly used as a filtering agent in the production of nonorganic fruit juices. For example, it is used to remove the brown pigments in white grape juice.

The 28th Session of the Codex Alimentarius Commission recently adopted the Codex General Standard for Fruit Juices and Nectars, which serves as a guide for the production of fruit juices and nectars worldwide. Activated carbon (only from plants) has been approved as a processing aid in the manufacture of fruit juices and nectars and endorsed by the 36th Session of the Codex Committee on Food Additives and Contaminants.

In addition, JPA supports the addition of Ammonium hydroxide to §205.605(b) of the National List for use as a boiler water additive in handling agricultural products labeled “made with organic (specified ingredients or food group(s)).” Ammonium hydroxide is affirmed as GRAS by the FDA and approved for use as a boiler water additive at levels not to exceed current good manufacturing practice as defined in 21 CFR 184.1139.

We also support the use of Cyclohexylamine, Diethylaminoethanol and Octadecylamine as boiler water additives for packaging sterilization with the restrictions noted in the proposed rule (i.e., restricted to handling agricultural products labeled “made with organic (specified ingredients or foods group(s)),” and prohibited for use in handling agricultural products labeled “organic”). The FDA has approved these substances for use as secondary direct food additives and boiler water additives (21 CFR 173.310). JPA recommends that Cyclohexylamine, Diethylaminoethanol and Octadecylamine be added to §205.605(b) of the National List.

We appreciate your consideration of these comments.

Sincerely,

Patricia Faison

Patricia Faison
Technical Manager